

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA : PRELIMINARY
- v. - : ORDER OF FORFEITURE/
ISSAK ALMALEH, : MONEY JUDGMENT
a/k/a "Issak Izrael", : SI 17 Cr. 25 (ER)
Defendant. :
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WHEREAS, on or about December 6, 2021, ISSAK ALMALEH, a/k/a "Issak Izrael" (the "Defendant"), and another, was charged in four-count Superseding Indictment, SI 17 Cr. 25 (ER) (the "Indictment"), with conspiracy to commit mail fraud and wire fraud, in violation of Title 18, United States Code, Section 1349 (Count One); mail fraud, in violation of Title 18, United States Code, Sections 1341 and 2 (Count Two); wire fraud, in violation of Title 18, United States Code, Sections 1343 and 2 (Count Three); and false statements to the FDIC, in violation of Title 18, United States Code, Sections 1007 and 2 (Count Four);

WHEREAS, the Indictment included a forfeiture allegation as to Counts One through Three of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), of any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of offenses charged in Counts One through Three of the Indictment, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offenses charged in Counts One through Three of the Indictment;

WHEREAS, the Indictment included a second forfeiture allegation with respect to Count Four of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United

States Code, Section 982(a)(2)(A), of any and all property, constituting or derived from proceeds obtained, directly or indirectly, as a result of the commission of the offense alleged in Count Four of the Indictment, including but not limited to a sum of money in United States currency, representing the amount of currency traceable to the commission of the offense alleged in Count Four of the Indictment;

WHEREAS, on or about on March 17, 2022, the Defendant was found guilty, following a jury trial, of Counts One through Four of the Indictment;

WHEREAS, the Government asserts that \$24,639.47 in United States currency represents the proceeds traceable to the commission of the offenses charged in Counts One through Four of the Indictment that the Defendant personally obtained;

WHEREAS, the Government seeks a money judgment in the amount of \$24,639.47 in United States currency, representing the proceeds traceable to the commission of the offenses charged in Counts One through Four of the Indictment that the Defendant personally obtained, for which the Defendant is jointly and severally liable with co-defendant Antoaneta Iotova (the “Co-Defendant”), to the extent a forfeiture money judgment is entered against the Co-Defendant in this case; and

WHEREAS, the Court finds that as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offenses charged in Counts One through Four of the Indictment that the Defendant personally obtained cannot be located upon the exercise of due diligence;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offenses charged in Counts One through Four of the Indictment, to which the Defendant found guilty, a money judgment in the amount of \$24,639.47

in United States currency (the “Money Judgment”), representing the amount of proceeds traceable to the offenses charged in Counts One of Four of the Indictment that the Defendant personally obtained, for which the Defendant is jointly and severally liable with the Co-defendant to the extent a forfeiture money judgment is entered against the Co-Defendant in this case, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant ISSAK ALMALEH, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable to United States Marshals Service, and delivered by mail to the United States Attorney’s Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew’s Plaza, New York, New York 10007 and shall indicate the Defendant’s name and case number.

4. The United States Marshals Service shall be authorized to deposit the payment on the Money Judgment into the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney’s Office is authorized to conduct any discovery needed to identify, locate

or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. This Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture/Money Judgment and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

SO ORDERED:


HONORABLE EDGARDO RAMOS

UNITED STATES DISTRICT JUDGE

1/20/23
DATE